

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.42359 of 2008

DR. JITENDRA KUMAR,

son of Dr. Rampukar Pandit,
resident of Mohalla Motichak,
P.S. Khagaul, District Patna

-----Petitioner

Versus

THE STATE OF BIHAR

2. 2.12.2008

Heard the learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Complaint Case No.1589(C)/2007 for the alleged offences registered under section 498A of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

It is submitted on behalf of the petitioner that the present complaint has been filed for ulterior purposes since the complainant was pressuring the petitioner to dispose off the property situated at Patna and to reside with her at Muzaffarpur i.e., the place of her parents. It is further submitted that the complainant has filed this case on mere suspicion that the petitioner has having illicit relation with another co-accused, namely, Rama Chaudhary. Besides the above, it is submitted that the petitioner was not present in his house on the alleged date of occurrence, which is evident from the certificate given by the Life Insurance Corporation of India, as contained in Annexure 3. Apart from that, the complainant herself has given an informatory petition to the local police to the effect that her husband is away for the last eight months.

Considering the facts and circumstances of the case,

let the petitioner above named, in the event of his arrest or surrender in connection with Complaint Case No.1589(C)/2007 within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, East Muzaffarpur, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

PNM

(Shailesh Kumar Sinha, J.)

